

Message

From: Todd, Andrew [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FOC81402596149B5AD531612351F8DFE-TODD, ANDREW]
Sent: 1/14/2022 4:11:10 PM
To: Judy Bloom (Bloom.Judy@epa.gov) [Bloom.Judy@epa.gov]; Holly Wirick (wirick.holiday@epa.gov) [wirick.holiday@epa.gov]
Subject: FW: ND WQS revision approval
Attachments: 4421_001.pdf

This is the September 24th letter referred to in the December 14th letter.

Ex. 5 Deliberative Process (DP)

§ 131.20 State review and revision of water quality standards.

(a) **State review.** The State shall from time to time, but at least once every 3 years, hold public hearings for the purpose of reviewing applicable water quality standards adopted pursuant to §§ 131.10 through 131.15 and Federally promulgated water quality standards and, as appropriate, modifying and adopting standards. The State shall also re-examine any waterbody segment with water quality standards that do not include the uses specified in section 101(a)(2) of the Act every 3 years to determine if any new information has become available. If such new information indicates that the uses specified in section 101(a)(2) of the Act are attainable, the State shall revise its standards accordingly. Procedures States establish for identifying and reviewing water bodies for review should be incorporated into their Continuing Planning Process. In addition, if a State does not adopt new or revised criteria for parameters for which EPA has published new or updated CWA section 304(a) criteria recommendations, then the State shall provide an explanation when it submits the results of its triennial review to the Regional Administrator consistent with CWA section 303(c)(1) and the requirements of paragraph (c) of this section.

(b) **Public participation.** The State shall hold one or more public hearings for the purpose of reviewing water quality standards as well as when revising water quality standards, in accordance with provisions of State law and EPA's public participation regulation (40 CFR part 25). The proposed water quality standards revision and supporting analyses shall be made available to the public prior to the hearing.

(c) **Submittal to EPA.** The State shall submit the results of the review, any supporting analysis for the use attainability analysis, the methodologies used for site-specific criteria development, any general policies applicable to water quality standards and any revisions of the standards to the Regional Administrator for review and approval, within 30 days of the final State action to adopt and certify the revised standard, or if no revisions are made as a result of the review, within 30 days of the completion of the review.

From: Bloom, Judy <Bloom.Judy@epa.gov>
Sent: Saturday, September 25, 2021 10:57 AM
To: Todd, Andrew <Todd.Andrew@epa.gov>; Hisel-McCoy, Sara <Hisel-McCoy.Sara@epa.gov>; Perkins, Erin <Perkins.Erin@epa.gov>; Volk, Everett <volk.everett@epa.gov>
Subject: FW: ND WQS revision approval

See attached

Judy Bloom | Manager | Clean Water Branch | USEPA, R8 | 1595 Wynkoop St, 8WD-CW | Denver CO | 80202 | 303 312 6395 – office | 303 548 5854 – mobile | bloom.judy@epa.gov
Please email or call mobile as I am working remotely
pronouns she/her/hers

From: Rockeman, Karl H. <krockema@nd.gov>
Sent: Friday, September 24, 2021 3:04 PM
To: Garcia, Bert <Garcia.Bert@epa.gov>
Cc: Bloom, Judy <Bloom.Judy@epa.gov>; O'Connor, Darcy <oconnor.darcy@epa.gov>; Olson, Margaret I. <maiolson@nd.gov>; dglatt@nd.gov
Subject: ND WQS revision approval

Bert,

I wanted to put our position down on paper so you had a chance to review prior to our call on the 1st.

I look forward to some resolution on this issue.

Thanks.

Karl Rockeman
Director
Division of Water Quality

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